

K. D. Nichols, General Manager

July 12, 1951

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**CONSIDERATION BY THE UNITED NATIONS TRUSTEESHIP COUNCIL IN
CONNECTION WITH THE MARSHALL ISLANDERS' PETITION.**

SYMBOL: BM:JCB

At the request of the State Department and with your approval I joined the American Delegation to the Trusteeship Council for the hearing of the report of the High Commissioner for the Trust Territories of the Pacific and for the consideration of the petition of the residents of the Marshall Islands.

On arrival last Tuesday afternoon, July 6, I had a conference with Mr. Mason Sears, United States Delegate, Mr. Frank E. Midkiff, High Commissioner, and members of the U. S. Delegation staff. It seemed reasonably clear that the Agenda of the following day would probably not deliberately involve the petition but would be concerned with the other aspects of the Trust Territories' report by Mr. Midkiff. Mr. Midkiff had a long prepared statement which specifically recognized that the matter of the petition should be heard first by the Committee on Petitions of the Trusteeship Council. However, it was anticipated that in the question period which would follow Mr. Midkiff's formal statement, matters relating to test activities might very well arise.

Mr. Midkiff's statement was given on Wednesday and in the question period which followed the representative from India in a prolonged question which was in fact a speech for the record asked for information about the permanent damage which had been done to the lands of the Marshall Islands and the hazards which had been established affecting the lives of the inhabitants. Mr. Midkiff replied that the information would be furnished a little later, and that night I prepared such a general statement, a copy of which is attached.

A block has been formed in the Trusteeship Council of countries antagonistic to the United States. These are led by the Indian representation and outstandingly comprised of the Soviet Union and Syria, with varying degrees of sympathy from the representation of small units such as Haiti. It is the obvious intent

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of this group to make the charges that the United States has been unfaithful to its trusteeship agreement, that it has diverted lands owned by the Marshallese to its own purposes, that it has done so in a manner which is illegal and in violation of its trusteeship charter. The United States' position is firmly supported by the Delegations from Belgium, France and UK especially. The detailed questioning of Mr. Kiddiff on the report of the Trust Territories occupied all of Thursday so that the matter of the petition did not come before the Committee on Petitions until Friday, July 9. This Committee is composed of the Delegations of the Soviet Union, India, Syria, UK, France and Belgium and is probably split 2 and 3 on any action. One of the prime authors of the petition, Mr. Dwight Heine, Superintendent of Schools, Majuro, has been brought to the UN by the American Delegation. Mr. Sears made it plain to the Council and other committees that Mr. Heine was free to give his own opinions in such a manner as he might see fit, and that he appeared as a member of the U.S. Delegation solely because that was the only way in which his transportation could be provided. Mr. Heine was, therefore, invited to the table as the "petitioner." He was then bombarded particularly by the three communist sympathizing Delegations with long and involved statements purporting to be questions in which were buried statements purporting to be expressions of fact and which required considerable explanation before Mr. Heine could determine what the actual questions were. These were obviously such propaganda statements that in a somewhat heated exchange Mr. Sears bluntly so characterized them, and the Chairman received a complaint from the Indian representative of Mr. Sears' use of undiplomatic language.

Stripped of the vast volume of wordy chaff, the charges made were:

1. The provisions in the Charter for the separation of specific lands for strategic and security purposes did not extend to the use of such lands for atomic and thermo-nuclear experiments.
2. The obligations assumed by the U. S. for the protection of the health of the people and their resources were incompatible with the use of the Trust Territories for weapons experiments.
3. There is no legal basis for the utilization of lands for such purposes.

The replies to these in substance were based on the wording of the charter and the concept of government whether or not the governing power, while not holding title to lands, none-the-less holds inherently the right of eminent domain by which it may take and utilize the

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property for the general good. I suggested to Mr. Sears further the statement that the operation of a proving ground is an integral with the operation of a military system for strategic and security purposes, and that such activities were not in contradiction to the requirement for the maintenance of health and safety of the people in the preservation of the natural resources. These were two aspects of the same general problem and both had to be observed.

A motion picture film showing the relocation of the Utkik people and the move of the Rongalap inhabitants to their temporary quarters at Ejit Island in the Majuro Atoll will be shown to the Committee after the questions have been furnished. This film is a very effective testimony to the present good health of the Rongalap people and the fine housing which Holmes & Narver have built in a beautiful tropical setting.

A second petition referring to thermo-nuclear experiments has apparently been introduced by other Delegations including that of the UK. While I have not seen the text of this petition, it is apparently acceptable to the U. S. Delegation, provided minor changes in wording are made. The Committee on Petitions having been unable to complete its consideration of the Marshall Islands petition, adjourned until Monday, July 12. The draft resolution will be considered only after the detailed questions on the Marshall Islands' petition have been completed.

cc: A. Tammare, Asst. GM for Res & ID
cc: John Hall, Special Projects
cc: Roy D. Snapp, Secretariat

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